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Asylum Granted: Jennifer Schantz '95 Prevails in Pro Bono Case

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Alumni Profiles:

Asylum Granted

Jennifer
Schantz '95

prevails in
pro bono case

By Bruce Balestier

In the documentary *Well-Founded Fear*, after Chinese dissident Huang Xiang has recounted the years of abuse he suffered from Chinese authorities, the U.S. asylum officer hearing his case is left to consider the evidence presented on Huang's behalf.

"After you get over this much," the officer says, holding his fingers six inches apart to reflect the size of Huang's file, "I've never known it to be frivolous. This is not frivolous. It can't be." He decides to recommend approval for Huang's application. "My reaction is, I'm humbled," the officer says. "What a life."



A. Perry Heller

The scene is a tribute to the power of Huang's story. But it also speaks to the efforts of his *pro bono* attorney, Jennifer Schantz '95, and to the importance of lawyers in a process that can seem arbitrary and cruel.

"It would be great if more people could have the chance to have an attorney who was as good and did as good a job," Michael Camerini, one of the film's directors, said of Schantz. "For every client who has a Jen Schantz, there are five more who need one."

"Well-Founded Fear," which made its television debut on the PBS documentary series "POV," takes its name from the "well-founded fear of persecution" that is the statutory standard for asylum grants.

The documentary film has also been screened at the Sundance Film Festival and the New York International Documentary Festival. It follows the progress of about a dozen asylum seekers in 1998 at Immigration and Naturalization Service offices in Queens and Lyndhurst, N.J.

The filmmakers approached Schantz in late 1997, shortly after she had been assigned Huang's case through the Lawyers Committee for Human Rights. Schantz, 31, was then a third-year litigation associate at the New York City firm Schulte Roth & Zabel. She and Marcy Harris, the partner supervising her work on the case, worried that the filming could hurt Huang's application through a loss of attorney-client privilege, and might harm his family still in China.

But those concerns were swept away by Huang's enthusiasm for telling his story. "He embraced it," Schantz said. "This was his opportunity to communicate with the world."

Huang, 58, spent years in detention in Chinese prisons and forced-labor camps as punishment for his pro-democracy writings. In one camp, he was

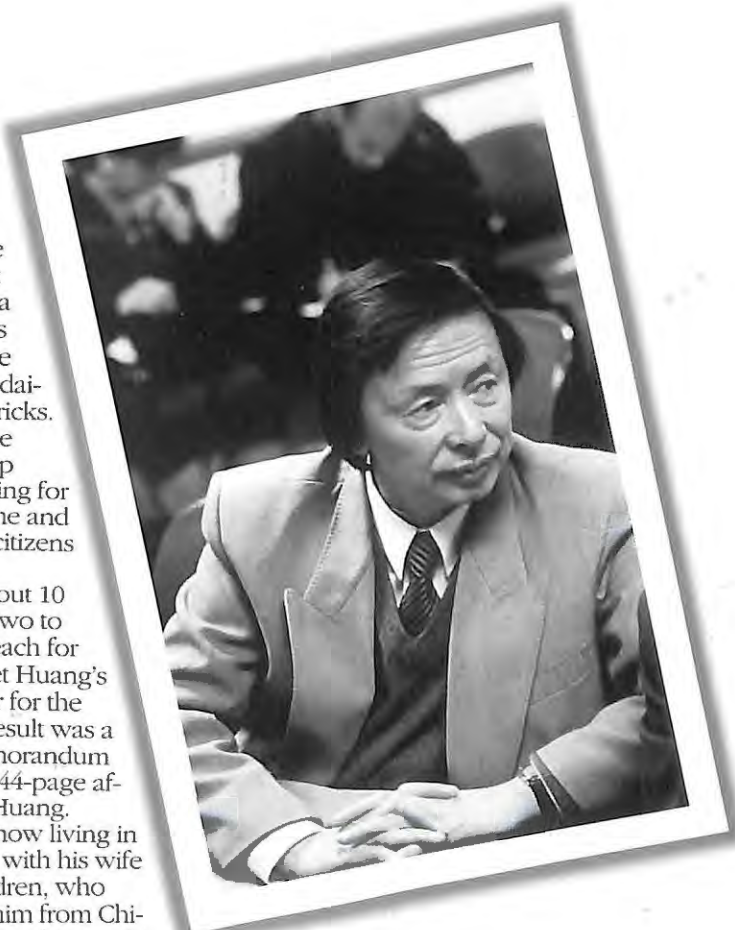
forced to live in a mud hut with a pit as a bed, and was taken into the Gobi Desert daily to make bricks. In another, he was strung up from the ceiling for hours at a time and beaten by a citizens militia.

It took about 10 meetings of two to three hours each for Schantz to get Huang's story in order for the filings. The result was a 90-page memorandum of law and a 44-page affidavit from Huang.

Huang is now living in Tenaflly, N.J., with his wife and two children, who have joined him from China. He is writing his autobiography and has published a collection of his protest poetry. He invited Schantz and her family to a Chinese New Year party at his home in February. Schantz recently left Schulte Roth after five years to work in the Civil Division of the Eastern District U.S. Attorney's Office.

On her role in the documentary, Schantz said with a chuckle, "I think I came off as the lawyer who did too much." But she said she also was hit by a sense of accomplishment. "That was great," she said, "the feeling that I was part of this really incredible thing."

Condensed from the New York Law Journal.



Chinese
dissident
Huang Xiang